

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**APR 25 1995**

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed..... Map filed **3-17-81** under **42383**The applicant: **Sierra Shadows, a Joint Venture c/o Douglas County****P.O. Box 218**

of

Minden

Street and No. or P.O. Box No.

City or Town

Nevada 89423

State and Zip Code No.

hereby make s. application for permission to change the**Point of Diversion of a Portion**

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under **Permit 42383**

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is an Underground Source
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 0.07 CFS (6.1 million gallons annually)
Second foot, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Quasi-Municipal (no change)
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Quasi-Municipal
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T13N,
Describe as being within a 40-acre subdivision of public survey and by course and
R19E, MDB&M or at a point from which the northwest corner of said Section 10
distance to a section corner. If on unsurveyed land, it should be stated.
bears N 05°11'20" W, 2515.32 feet (Well No. 1)
6. The existing permitted point of diversion is located within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, T13N, R19E,
If point of diversion is not changed, do not answer.
MDB&M or at a point from which the northeast corner of said Section 9 bears
N 05°04' E, 2767 feet (Well 2).
7. Proposed place of use No Change
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use Portions of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, all in T13N, R19E, MDB&M,
manner of use of irrigation permit, describe acreage to be removed from irrigation.
Douglas County, Nevada - 23+ acres
9. Use will be from 1 January to 31 December of each year.
Month and Day Month and Day
10. Use was permitted from 1 January to 31 December of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Existing well with pump, a 60,000 gallon storage
State manner in which water is to be diverted, i.e. diversion structure,
tank and water distribution systems
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works No additional improvements are needed.
13. Estimated time required to construct works Completed - See Proof of Completion filed
under Permits 42384, 42385 and 52731

14. Estimated time required to complete the application of water to beneficial use. Water has been placed to beneficial use
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

See Attachment

By s/Chris Tschirhart
Chris Tschirhart
P.O. Box 2189423
Minden, NV 89423

Compared sm/jk cl/bk

Protested _____

APPROVAL
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 42383 is issued subject to the terms and conditions imposed in said Permit 42383 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 42383, 42384, 42385, 52731 and 61176 shall not exceed 10.138 million gallons annually.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.07 cubic feet per second, but not to exceed 6.1 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before January 28, 1996

Proof of completion of work shall be filed before February 28, 1996

Application of water to beneficial use shall be made on or before January 28, 1997

Proof of the application of water to beneficial use shall be filed on or before February 28, 1997

Map in support of proof of beneficial use shall be filed on or before N/A

MAR 29 1996

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 14th day of December,

A.D. 19 95

[Signature]
 State Engineer

Abrogated By 64095 0.07

Attachment

Question 15

The purpose of this Application is to transfer most of the water right under Permit 42383 (Well No. 2) to Well No. 1 which is covered under Permits 42384, 42385 and 52731. Well No. 2 has high alpha radiation reading and, therefore, has not been used to supply water to the system for the past few years. A small amount of water is left in Well No. 2 under Permit 42383 so that the well could be used in case of an emergency.

Please use the map filed in support of Permit 42383 to support this Application.

STATE

95 APR 25 PM 2:00

